

**ARIZONA DEPARTMENT OF WATER RESOURCES**  
**Office of Assured and Adequate Water Supply**  
3550 North Central Avenue, Phoenix, Arizona 85012  
Telephone 602 771-8500  
Fax 602 771-8689



Janet Napolitano  
Governor

Herbert R. Guenther  
Director

January 28, 2008

Mr. Roy Tanney  
Arizona Department of Real Estate  
2910 N. 44th Street  
Phoenix, Arizona 85018

**Water Report 53-700389.0000**

**Subdivision Name:** Bienestar Estates 9B

**Owner:** Comite De Bien Estar, Inc.,  
an Arizona non-profit corporation

**Number of lots:** 630

**County:** Yuma

Township 11 South, Range 24 West, Section 9  
Lots 1 thru 630, inclusive

**Water provided by:** City of San Luis

**Water Type:** Groundwater

**Current water depth:** 100 ft. below land surface

**Estimated 100-year depth:** 497 ft. below land surface

**Current decline rate:** 1 ft. per year

**Basin:** Yuma

Dear Mr. Tanney:

Pursuant to A.R.S. § 45-108, the Department of Water Resources has reviewed the available information pertaining to the water supply for the above-referenced subdivision. This letter constitutes the Department's report on the subdivisions water supply as required by A.R.S. § 45-108(A).

Adequacy of the 100-year water supply was reviewed by the Department with regard to physical, legal and continuous availability, water quality, and financial capability. Information available to the Department indicates that the applicant has satisfied the adequate water supply requirements as set forth in A.A.C. R12-15-701 *et seq.* Therefore, the Department of Water Resources finds the water supply to be adequate to meet the subdivision's projected needs. Any material change to the subdivision plat or its water supply plans may invalidate this decision. See A.A.C. R12-15-708.

This letter is being forwarded to your office as required by A.R.S. § 45-108. This law requires the developer to hold the recordation of the subdivision's plat until receipt of the Department's report on the subdivision's water supply. By copy of this report, the Yuma County Recorder is being officially notified of the developer's compliance with the law. Because of the possibility that a future court proceeding could result in a legal determination that water withdrawn from wells in this area is surface water, the Department recommends that your office include the following statement in all promotional material and contracts for sale of lots in the subdivision:

**"Pursuant to A.R.S. § 45-108 and A.A.C. R12-15-701 *et seq.*, the Department has determined that the water supply for the Bienestar Estates 9B subdivision is adequate, *i.e.* that the water supply is physically, continuously and legally available to satisfy the subdivision's annual estimated water demand, that the water supply is of suitable water quality, and that the applicant has demonstrated the financial capability to construct adequate delivery, storage and treatment works. However, the legal availability of the water withdrawn from wells in this area may be the subject of court action in the future as part of a determination of surface water rights. Whether future court action will have an effect on the legal availability of the water supply for the proposed subdivision cannot be determined at this time."**

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Water Report

Bienestar Estates 9B subdivision

If you have any questions, please contact Rosemary Lopez at (602) 771-8500.

Sincerely,

A handwritten signature in black ink that reads "Sandra Fabritz-Whitney". The signature is fluid and cursive, with the first name "Sandra" being the most prominent.

Sandra Fabritz-Whitney

Assistant Director

Water Management Division

cc: Yuma County Planning and Zoning  
Yuma County Recorder  
Vianey R Vega, Edais Engineering, Inc.  
Rosemary Lopez, Office of Assured and Adequate Water Supply